

# Notice of Allowability

Application No.

10/780,483

Examiner

Jenna-Leigh Befumo

Applicant(s)

LEIGHTON ET AL.

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## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment files on January 24, 2006.
2. ☒ The allowed claim(s) is/are 1-10 and 42-47.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
  - \* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

- |   |  |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment                               |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|   | 9. <input type="checkbox"/> Other _____.   |

### **REASONS FOR ALLOWANCE**

1. The Amendment submitted on January 24, 2006, has been entered. Claims 11 – 41 have been cancelled. Claim 1 has been amended and claims 42 – 47 have been added. Therefore, the pending claims are 1 – 10 and 42 – 47.
2. The cancellation of claims 11 – 35 and 41 renders the rejections to those claims moot.
3. The 35 USC 102 and 35 USC 103 rejections based on Dutt (6,174,825) are withdrawn since Dutt fails to teach cutting the impregnated fabric on at least one lateral edge such that the weft yarns are extend all the way to the cut edge. While, Dutt discloses that woven fabric is an endless fabric woven to the desired width of the endless belt, Dutt is silent as to whether the lateral edges are completely encapsulated by the coating layer or extend to the lateral edge of the polymeric coating. However, Dutt fails to teach only cutting the composite fabric longitudinally in the areas of the fabric which only comprise weft yarns and not the areas which comprise a plurality of weft and warp yarns. Thus, there is no teaching that the weft yarns would extend to the lateral end of the polymeric coating and that the edge region would comprise the area of the fabric which contains only weft yarns.
4. The following is an examiner's statement of reasons for allowance:
5. The prior art fails to teach or fairly suggest using a reinforcing fabric in an impregnated composite fabric with the claimed weave pattern, i.e., first areas with a plurality of warp yarns and a plurality of weft yarns and second areas with a plurality of weft yarns and no warp yarns, and cutting the fabric in a longitudinal direction so that the edge of the fabric occurs in one of the second areas of the woven fabric which comprise a plurality of weft yarns extending the edge of the polymeric coating and no warp yarns at the edge of the fabric. While the prior art teaches the claimed weave structure can be used to reinforce polymeric sheets (see Dutt) and teaches that

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reinforced impregnated fabrics can be cut to a desired end-use width (see Kremer et al. (2,356,249)), there is no teaching or suggestion in the prior art that the fabric should have the claimed weave structure so that belt is cut to width with the regions of the fabric which contain only weft yarns at the edges of the fabric to prevent the warp yarns from being exposed on the edge of the composite material.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jenna-Leigh Befumo whose telephone number is (571) 272-1472. The examiner can normally be reached on Monday - Friday (8:00 - 5:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Terrel Morris can be reached on (571) 272-1478. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Jenna-Leigh Befumo  
February 17, 2006